

shubert tints to a sooty hue, and perhaps a column or pilaster, partaking equally in a vertical direction of two colours. But "there can be no mistake" about Portland stone itself, and a resemblance to it can never be attained by any plastic material. There are yet some mansions in our principal squares which have probably never had any thing done to their Portland fronts since they were erected some 80 or 100 years ago; and whatever was the original cost of those fronts, it has been more than repaid by the saving effected of the expense which a stuccoed and painted outside would have involved during that period; and whilst the Portland front has this advantage over its manner rival, that at a trifling expense it can be brought back to its early freshness and will always be stone, the other after all its cost, and constantly required patchings and stopplings, is yet only stucco, or more properly dust, to which, at no distant day, it will return. In opposition to what may be considered the cold formality of classical architecture as applied to our street-buildings, some of our professors are hurrying into an opposite extreme, by embellishing the outside of shops and houses after the Louis Quatorze, Renaissance, and Elizabethan methods; but too often the good in those respective styles is overlooked in an excessive fondness for detail, and that of the least tasteful kind, which is soon obscured by the smoke of this vast city; whereas, if our artists would consider outline more and detail less, their designs would do themselves more credit and be less costly to their employers. For the next quarter of a century, perhaps, it is to be feared that the first-cost cheapness of stucco will have its baneful influence on buildings about to be erected; the designer, careless of future reputation, seeks only to produce an imposing (which it is in reality) exterior at a moderate cost, and therefore crowds into a façade as much enrichment as he can for the money, or that the space will permit, leaving no repose to refresh the wearied eye, not considering that that which looks "pretty" upon paper, may have a very poor effect when executed, when it will be seen that the lines which produced pilasters have little more projection in reality than upon paper, that the shadows in the drawing will, in the building, be collections of dust, and that far from carrying out the promise of the highly-wrought sketch, the whole will be

"Stale, flat, and unprofitable."

London, June 14, 1843. PHILIP-TYDOR.

THE NEW BUILDING ACT.

TO THE EDITOR OF THE BUILDER.

SIR,—With the supposed object of simplifying the operation of the Bill, and causing its machinery to work uniformly, a rare and costly balance-wheel has been attached.

It is proposed to constitute a kind of perambulating court, consisting of three architects, nominated by and removable by the Secretary of State for the Home Department.

I apprehend it to be on all hands conceded, that such a court, well constituted, with duties clearly defined, and consisting of men of sterling intelligence and integrity, would be essentially serviceable. Such has for years been my settled impression; and it only remains to consider how far this puerile court of judge, jury, and executioner is likely to effect its object, for it may well be that in the irrevocable decisions of these three Fates, the future prosperity or adversity of many a young and talented architect, the good or bad repute of many a skilful and honest builder, and the little annual fortune of many a helpless pining widow and orphan may be involved.

The fit constitution of this court, the fit kind of men to be appointed, and the fit price to be paid for them, wholly depending upon their duties, their authority, and their responsibility, it will be well to ascertain, and to arrange these in due order.

As to their duties.

Clauses 14 and 28. They are to examine into and control the construction, and the additions to and the alterations of all buildings of the *eightth rate*, a rate especially constituted for their express supervision and advantage, and comprising every kind of building used for public worship, or which *or*, in any way, be considered places "for public business, instruction, debate, diversion, or resort;" *e.g.* breweries, distilleries, manufactories, or warehouses exceeding fifty feet in height from the basement floor; and all dwelling-houses containing more than seven floors, or exceeding seventy feet in height.

They are, in conjunction with the district surveyor, not only to see that the regulations of the Act, so far as they apply, are obeyed, but are to direct such additional precautions to be taken as

they may see fit. They are to survey, and to certify their satisfaction (if satisfied) within one month after each building is covered in (*i.e.* twenty-one days and seven days), and again to survey and to certify their approbation, as it would seem, within one month after the completion.

It may be remarked, that clause 28 is so situated as to render every kind of building whatever, excepting the nondescripts of clause 29, subject to this re-survey and certificate of the official referees. Probably it may have been a blunder of the printer.

Clause 103.—In conjunction with the district surveyor, they are to survey and to certify as to the state of all buildings which the overseers of the poor may think ruinous; and, clause 104, as they have to assess the costs, it must be a part of their duty first to examine into the state of chimney-shafts, chimney-pots, or other things thereon; slates, tiles, projections, or ought else that may be in imminent danger of falling; and, clause 115, which appeals to their certificate, necessarily carries with it that they must previously survey every drain, and "every other part of every house or building of every rate;" or, their certificates will be mere waste paper, and the poor wretch who may be sent to the common gaol for not altering any irregularity, may have good cause of action against them.

Clause 93.—They *alone* are to survey all ruinous party walls and party arches. Clause 98.—They *alone* are to survey and to award, in all cases of intempered property, as to the fit sites for party walls and party arches, and as to such compensation as may perchance be due to either owner.

The Bill indeed says, respecting which the owners cannot agree, but, as by clause 111, no account as to the reparation or rebuilding of a party wall shall be delivered, except it shall have been approved by the referees, the wall must necessarily be first examined by them, or how can they know any thing about the true value of the work, and the credit for old materials? for this clause 111, will not allow two friends to act like friends, and jointly pay their own bill, without first calling in and paying official referees, to do that which they are not wanted to do. Nor will it admit of persons employing their own architects, surveyors, or builders, of whatever rank they may be, upon this part of their houses.

Clause 88. They *alone* are to assess the cost of stopping up any window which may be made in a wall, contrary to the will of an adjacent owner; and, clause 91, to assess the value of the materials of an old half party wall, and of the ground upon which it stands; and clauses 103, 104, 107, 109, 110, 111, 112, to assess the value of every half party wall or party arch, and every thing appertaining to it, together with the cost of removing the furniture; and clause 104 even that of replacing broken tiles, slates, and chimney-pots, with new.

As to their authority.

Clauses 18 and 19. They are to decide between disputant builders and district surveyors, as to what rate a building is. Clause 60. What is the general line of a row of houses. Clause 90. Whether or not the builder who has cut off footings and chimney-breasts in a party wall is visitable or not with payment of the whole cost of rebuilding it. The obscure wording of clause 115 seems to intend that they are to determine what are the rules, directions, and regulations of the Act; for what else they would have to certify under this clause, is not very manifest. Clause 141. They are to adjust as to the limits of districts between two contending district surveyors; and, clause 142. they are to determine between disputants, as to the way in which the Act is to be carried out.

Clause 98. Their awards are to be conclusive against bodies politic or corporate, together with the Queen's Majesty and all other persons whatsoever. The production of their certificate, under clause 111, as to value, must at once stop any action under clause 110, and render nugatory all that apparatus of judge and jury, of which an Englishman is proud, inasmuch as that the plaintiff must necessarily recover the full costs of a bill, which cannot but have been certified by the official referees, or it is no bill at all. In fact, there will be no question to try. Judge and jury, plaintiff and defendant, may just as well stay at home.

Clause 140. No stamp duty is necessary to make their awards valid; and, clause 142, they are to have the same effect as if made under an order of reference from the Court of Queen's Bench, and are to be enforced by that Court.

As to their responsibility.

Excepting that they may be unmade by the hand that made them: excepting that they may be made to obey the Secretary of State, because that he is to have a control over the amount of some of their fees, they are to be entirely irresponsible; and, although the district surveyors, whose hands are tied, are to be sworn, even the common sanction of an oath, feeble though it may be, is not to be re-

quired of the unfettered official referees. The district surveyors are to make regular returns of their work and their emoluments four times in every year, and are not even to take their fees, without giving categorical written receipts; but the official referees are not required to make any returns, nor to give any receipts whatever. Excepting to their own consciences and the Secretary of State, they are, on earth, to be wholly unchecked and wholly unaccountable.

There cannot be a moment's question that the contemplated mode of constituting such judges is radically wrong. They ought to be as entirely independent and irremovable as all other judges, *quandiu se bene gesserint*.

There cannot be a moment's question that "architects" (in the elevated sense of the term) are not fit persons to execute the duties of such an office. All the duties are those of persons who sail under the humble title of "surveyors." Men thoroughly acquainted with the constructive science of building; men thoroughly acquainted with the value of old and new materials, and of workmanship; and men who will not deem themselves dirtied and degraded, by contact with a bricklayer's labourer or a moulder-ing wall.

In every qualification of mind, in every high and honourable feeling, they may be equal, nay, they may be superior to, but they may not be "architects." They may not have made any pretty, deceptive pictures; they may not have seen "the old stones;" they may not be able to act ecstasies, and prate about the "fine" things of the Continent; but they may be sterling men of business; and men of business, not artists, are wanted for such work.

There cannot be a moment's question, that the price to be paid for these men is not only most enormous, but that it is the very worst possible way of paying them, as judges, by systematically making it their interest to multiply surveys, certificates, and awards.

There is altogether a difficulty in this affair which does not appear to have occurred to the framers of the Bill. Architects of high rank would not accept such an office, nor could they attend to its petty duties; and architects of high rank would not with a very good grace submit to have the constructive portion of their works overhauled by less men than themselves. Indeed, the supercilious, and even insolent conduct of some men, who think themselves architects, is equally disgusting to builders as disgraceful to the profession, and could be ill brooked by gentlemen of refined education and liberal mind.

It is quite right that there should be a high, and even a stern control over all buildings in which large bodies of persons may assemble, and their lives be jeopardized.

Might it not be that some one architect might be appointed, to whom the constructive drawings and specification of every such building should be submitted beforehand; that they should be approved by him, or altered under his supervision, as the case might be; and that, without his previous signature to all such constructive drawings, the work should not even be begun; nor should any departure from them take place without his signature?

It might even be well that such a man should be elected by his brethren, and approved and appointed by the Government. To him it would be one of the highest professional honours to which he could aspire—the crown of a whole life; and no architect of right feeling could hesitate to submit his intended work to such a man, but be proud of his approbation, and respectfully defer to his correction. To young architects especially, such a father and friend would be invaluable.

It might then be well to constitute an official refereeship somewhat after this manner.

As questions of property, as questions of legal interpretation may, and would arise, in a district about fifteen miles long and ten miles wide, it would be well to have one man well versed in the law of, and the value of evidence, and accustomed to the sifting of conflicting testimony. Let that one man be a barrister, make him the judge; give to him as assessor, one (or more) experienced surveyor, and allow him to call upon the architect, whenever needful, for further advice. Remunerate them all with sufficient, nay, with handsome salaries, but interdict all other practice, unless indeed mere consultation were allowed, within the metropolitan district.

In every case of intempered property, or of ruinous party walls, partitions, or arches, let the owners agree, if they can, both as to the necessity for rebuilding or not, and as to market price. If they cannot agree, then let three district surveyors next adjacent to that in which the case might lie, make the survey and certify the facts to the official referee, with their opinions appended; and let it be acted upon, unless notice of appeal be given.

In like manner, if three district surveyors view

* I would recommend to the notice of your readers Mr. Bartholomew's severe but admirable invectives against compo.